

INSTRUCTIONS TO THE PARTIES

1. MOVING PARTY IS DIRECTED TO SERVE THE NOTICE OF HEARING, MOTION, THESE INSTRUCTIONS, AND THE STATEMENT OF INDEBTEDNESS (AS DESCRIBED BELOW) ON THE ADVERSE PARTY(IES) NOT LATER THAN FIVE (5) BUSINESS DAYS AFTER THE DATE OF ISSUANCE OF THE NOTICE OF HEARING.
2. The Statement of Indebtedness is to be completed by the moving party and attached as an exhibit to the Declaration and served on all responding parties with notice of hearing and motion. Each respondent is to complete the respondent's portion of the Statement of Indebtedness and attach the Statement of Indebtedness as an exhibit to its declarations filed in response to the motion. Moving party is to file its completed Statement of Indebtedness with the proof of service.
3. Each responding party is directed to file and serve its responsive papers not later than five (5) days prior to the hearing on the motion.
4. Counsel for moving and responding parties are ordered to meet and confer with respect to settlement of this matter and to determine any acts which are no longer in dispute. Said meet and confer is to occur no less than five (5) days before the hearing on the motion.
5. Except in the case of an unlawful detainer for residential property on a month-to-month tenancy, all parties are directed to serve the United States Trustee with a copy of all documents and papers filed in connection with this motion.
6. IF ANY RESPONDING PARTY FAILS TO FILE A RESPONSIVE PLEADING OR FAILS TO APPEAR AT THE HEARING, OR BOTH, THE COURT MAY GRANT THE MOTION WITHOUT FURTHER NOTICE.
7. The matter set forth in the Statement of Indebtedness shall be binding upon the parties and shall limit the issues presented at the hearing, unless a party, for cause, shows that such a result would be unfair.
8. Limitations on Oral Testimony. In lieu of oral testimony, declarations under penalty of perjury will be received into evidence. The Court may, in its discretion, receive oral testimony. If the Court decides to hear oral testimony, the matter will be continued to another date for final hearing. Unless the Court orders otherwise, witnesses need not be present at the first hearing on the motion.

Evidentiary Objections. Evidentiary objections shall be stated in a separate document and shall be filed with responsive or reply papers, or may be deemed waived.

Appraisal evidence shall be in writing, along with a summary of the qualifications of the appraiser. The written appraisal is to be served on each opposing party no later than five (5) days prior to the hearing on the motion. The written appraisal shall be the direct testimony of the appraiser and no direct examination of the appraiser will be permitted. The parties who are not presenting this appraisal evidence will have the opportunity to cross-examine the appraiser. In order to expedite hearings, cross-examination of the appraiser will not take place at the date set forth on the notice of hearing but will be at a later date.

9. All parties are to review Local Rule 9013-1 which became effective July 1, 1998 and are to comply with all requirements set forth therein.

STATEMENT OF INDEBTEDNESS

Movant's Contentions:

Respondent's Contentions:

Name of Lienholder:

1st Lien

2nd Lien

3rd Lien

Other Liens

Date of Default:

1st Lien

2nd Lien

3rd Lien

Other Liens

Principal Owing:

1st Lien

2nd Lien

3rd Lien

Other Liens

Amount in Default:

1st Lien

2nd Lien

3rd Lien

Other Liens

TOTAL LIEN AMOUNT

FAIR MARKET VALUE
OF PROPERTY

Movant is to fill out Movant's Contentions on this form, attach it as Exhibit "A" to the Motion, and serve it on all respondents with the Notice of Motion and Motion. Each respondent is to complete Respondent's Contentions and attach this form as Exhibit "A" to the Answer.

EXHIBIT A